

April 20, 2010

TO: Members of the MAG Regional Council

FROM: Councilwoman Peggy Neely, Phoenix, Chair

SUBJECT: MEETING NOTIFICATION AND TRANSMITTAL OF TENTATIVE AGENDA

Meeting - 5:00 p.m.
Wednesday, April 28, 2010
MAG Office, Suite 200 - Saguaro Room
302 North 1st Avenue, Phoenix

The next MAG Regional Council meeting will be held at the MAG offices at the time and place noted above. Members of the Regional Council may attend either in person, by videoconference or by telephone conference call. Members who wish to remove any items from the Consent Agenda are requested to contact the MAG office. MAG will host a dinner/reception for the Regional Council members following the meeting in the MAG Cholla Room on the 2nd floor. Supporting information is enclosed for your review.

Please park in the garage underneath the building. Parking places will be reserved for Regional Council members on the first and second levels of the garage. Bring your ticket to the meeting, parking will be validated. For those using transit, the Regional Public Transportation Authority will provide transit tickets for your trip. For those using bicycles, please lock your bicycle in the bike rack in the garage.

Pursuant to Title II of the Americans with Disabilities Act (ADA), MAG does not discriminate on the basis of disability in admissions to or participation in its public meetings. Persons with a disability may request a reasonable accommodation, such as a sign language interpreter, by contacting the MAG office. Requests should be made as early as possible to allow time to arrange the accommodation.

If you have any questions, please call the MAG office.

c: MAG Management Committee

**MAG REGIONAL COUNCIL
TENTATIVE AGENDA
April 28, 2010**

COMMITTEE ACTION REQUESTED

- | | |
|--|--|
| <p>1. <u>Call to Order</u></p> <p>2. <u>Pledge of Allegiance</u></p> <p>3. <u>Call to the Audience</u></p> <p>An opportunity will be provided to members of the public to address the Regional Council on items not scheduled on the agenda that fall under the jurisdiction of MAG, or on items on the agenda for discussion but not for action. Citizens will be requested not to exceed a three minute time period for their comments. A total of 15 minutes will be provided for the Call to the Audience agenda item, unless the Regional Council requests an exception to this limit. Please note that those wishing to comment on agenda items posted for action will be provided the opportunity at the time the item is heard.</p> <p>4. <u>Executive Director's Report</u></p> <p>The MAG Executive Director will provide a report to the Regional Council on activities of general interest.</p> <p>5. <u>Approval of Consent Agenda</u></p> <p>Council members may request that an item be removed from the consent agenda. Prior to action on the consent agenda, members of the audience will be provided an opportunity to comment on consent items. Consent items are marked with an asterisk (*).</p> | <p>3. Information.</p> <p>4. Information and discussion.</p> <p>5. Approval of the Consent Agenda.</p> |
|--|--|

ITEMS PROPOSED FOR CONSENT*

MINUTES

- | | |
|--|--|
| <p>*5A. <u>Approval of the March 31, 2010, Meeting Minutes</u></p> | <p>5A. Review and approval of the March 31, 2010, meeting minutes.</p> |
|--|--|

TRANSPORTATION ITEMS

***5B. Project Changes - Amendments and Administrative Modifications to the FY 2008-2012 MAG Transportation Improvement Program and FY 2010 Arterial Life Cycle Program**

The FY 2008-2012 Transportation Improvement Program (TIP) and Regional Transportation Plan (RTP) 2007 Update were approved by the MAG Regional Council on July 25, 2007, and the FY 2010 Arterial Life Cycle Program (ALCP) was most recently modified on March 10, 2010. Since that time, there have been requests from member agencies to modify projects in the programs. To move forward with project implementation, a number of changes to the FY 2008-2012 TIP are being requested, affecting highway projects, bicycle/pedestrian projects, arterial street projects, and transit projects. The proposed project changes include amendments and administrative modifications to FY 2008-2012 TIP for highway projects (Table A), amendments and administrative modifications to FY 2008-2012 TIP and FY 2010 ALCP for arterial street projects (Table B), amendments and administrative modifications to FY 2008-2012 TIP for transit projects (Table C), and administrative modifications to the FY 2010 ALCP (Table D). The Transportation Review Committee recommended approval of the amendments and administrative modifications to the TIP and/or ALCP as presented in Tables A through D. Table E includes a listing of projects proposed for the reallocation of ARRA project bid savings. Table E was developed after the Transportation Review Committee action and is based on information received from MAG member agencies. The MAG Management Committee recommended approval of the amendments and administrative modifications to the TIP and/or ALCP as presented in Tables A through E. This item is on the April 21, 2010, Transportation Policy Committee agenda. An update will be provided on action taken by the Committee. Please refer to the enclosed material.

5B. Approval of amendments and administrative modifications to the FY 2008-2012 Transportation Improvement Program, the FY 2010 Arterial Life Cycle Program, and as appropriate, to the Regional Transportation Plan - 2007 Update.

*5C. Arterial Life Cycle Program Status Report

A Status Report on the Arterial Life Cycle Program (ALCP) for the period between October 2009 and March 2010 addresses ALCP project work, the remaining Fiscal Year 2010 ALCP schedule, program deadlines, revenues, and finances. Please refer to the enclosed material.

*5D. American Recovery and Reinvestment Act (ARRA) Status Report

A Status Report on the American Recovery and Reinvestment Act (ARRA) funds dedicated to transportation projects in the MAG region details the status of project development. The report covers highway, local, transit, and enhancement projects programmed with ARRA funds and the status of project development milestones per project. Please refer to the enclosed material.

*5E. Programming of Bid Savings of Local MPO American Recovery and Reinvestment Act (ARRA) Funds - Technical Amendment

Through the MAG committee process, discussions have been held regarding the anticipated bid savings on obligated Local Metropolitan Planning Organization American Recovery and Reinvestment Act (ARRA) funded projects due to lower project costs. On January 27, 2010, the MAG Regional Council approved the guidelines for programming unobligated ARRA Local funds. The guidelines allow local agencies with the ARRA project bid savings to have local discretion to move the project savings to another existing ARRA project in that jurisdiction; and/or swap the ARRA funds with ADOT -STP funds and move the project savings to an eligible project that is above \$200,000 and can obligate before September 30, 2010, including new projects. In addition, the guidelines stipulated that any jurisdiction that cannot meet the \$200,000 threshold and obligation deadline of September 30, 2010 would return the project savings to the regional pool for reallocation. Since the approval of the guidelines, the Arizona Department of Transportation notified MAG that all Local ARRA

5C. Information and discussion.

5D. Information and discussion.

5E. Approval of an amendment to the guidelines for programming unobligated ARRA Local funds as stated in the attached memorandum.

funds must obligate by August 15, 2010. The MAG Transportation Review Committee and the MAG Management Committee recommended approval of an amendment to the guidelines for programming unobligated ARRA Local funds as stated in the attached memorandum. This item is on the April 21, 2010, Transportation Policy Committee agenda. An update will be provided on action taken by the Committee. Please refer to the enclosed material.

*5F. Transit Allocation Methodology for Proposed Federal Economic Stimulus Legislation - Potential Changes Due to Loss of Local Transportation Assistance Funds

The methodology by which to allocate any transit funds from a potential second round of stimulus funding has been on the agenda for information, discussion and action during MAG committee meetings. In February 2010, the Transit Committee and Transportation Review Committee recommended approval that any transit funds from a second stimulus bill that are required to be under contract within ninety days be allocated toward operations (up to the maximum allowable), ADA operations and ADA preventive maintenance (10 percent), and preventive maintenance by applying the principles outlined by RPTA for project savings from ARRA I funds; and amend the FY 2008- 2012 MAG TIP as appropriate. At the Management Committee meeting on March 10, 2010, it was recommended that given that Local Transportation Assistance Funds (LTAF) would no longer be available to member agencies, this agenda item should go back through the committee process for discussion of any changes, if necessary, to the recommendations in light of the loss of the LTAF. The MAG Transportation Review Committee and the MAG Management Committee reaffirmed the use of ARRA II they had previously recommended for approval. This item is on the April 21, 2010, Transportation Policy Committee agenda. An update will be provided on action taken by the Committee. Please refer to the enclosed material.

5F. Approval that transit funds that are required to be under contract within ninety days be allocated toward operations (up to the maximum allowable), ADA operations and ADA preventive maintenance (10 percent), and preventive maintenance by applying the principles outlined by RPTA for project savings from ARRA I funds; and amend the FY 2008- 2012 MAG TIP as appropriate.

*5G. Section 5310 Elderly Individuals and Individuals with Disabilities Transportation Program Priority Listing of Applicants

On March 31, 2010, the MAG Federal Transit Administration (FTA) Elderly and Persons with Disabilities Transportation Program Ad Hoc Committee developed a priority listing for the applications received for FTA Section 5310 funding. The FTA provides these funds to the Arizona Department of Transportation (ADOT) for capital assistance to agencies and public bodies that provide transportation services for people who are elderly and for people who have a disability. This year, 17 applications were submitted for capital assistance awards. Twenty-nine van requests and two mobility manager requests were received and considered by the Committee. The MAG Management Committee recommended forwarding the priority listing of applicants to ADOT. Please refer to the enclosed material.

*5H. Appointment of Councilmember Jack Sellers, City of Chandler, to Serve as One of the Seven Largest Cities/Towns Elected Officials on the Transportation Policy Committee

The composition of the Transportation Policy Committee (TPC), established by the Regional Council on April 24, 2002, includes elected officials from the seven largest cities/towns. In June 2008 the Regional Council appointed the list of TPC members. Mayor Boyd Dunn, the elected official representing the City of Chandler on the TPC, notified MAG that the City is requesting that Councilmember Jack Sellers represent Chandler on the TPC. The appointment of Councilmember Jack Sellers to the TPC by the Regional Council as one of the seven largest cities/towns elected officials is requested. Please refer to the enclosed material.

*5I. Update to Federal Functional Classification System

MAG has received requests from the City of Peoria and the Town of Buckeye to add three

5G. Forward the priority listing of applicants for the FTA Elderly Individuals and Individuals with Disabilities Transportation Program to the Arizona Department of Transportation.

5H. Appointment of Councilmember Jack Sellers City of Chandler, as the one of the seven largest cities/towns elected officials on the Transportation Policy Committee.

5I. Approval of the proposed updates to the federal functional classification system.

projects to the Federal functional classification system. The City of Peoria is requesting that the Agua Fria truck reliever route from 112th Avenue/Rose Garden Lane to 107th Avenue/Pinnacle Peak Road and Butler Road are classified as Major Collectors. On March 29, 2010, the Transportation Review Committee (TRC) recommended approval of the request. Since the TRC took action, the Town of Buckeye requested that Airport Road from Interstate 10 to Yuma Road be classified as a Rural Minor Arterial. The classification requests are necessary for the ARRA/STP funded projects to proceed. The Management Committee recommended approval of the classification requests. Please refer to the enclosed material.

AIR QUALITY ITEMS

*5J. Conformity Consultation

The Maricopa Association of Governments is conducting consultation on a conformity assessment for an amendment and administrative modification to the FY 2008-2012 MAG Transportation Improvement Program (TIP) and Regional Transportation Plan - 2007 Update. The amendment and administrative modification involve several projects, including project additions and changes from the Arizona Department of Transportation on Interstate-10, Interstate-17, Loop 303, State Route 85, and Loop 101, and a change from the City of Mesa to a bicycle/pedestrian project. In addition, the amendment and administrative modification include a series of adjustments affecting the MAG Arterial Life Cycle Program and the transit element of the TIP in FY 2009 and FY 2010. The amendment includes projects that may be categorized as exempt from conformity determinations. The administrative modification includes minor project revisions that do not require a conformity determination. Please refer to the enclosed material.

5J. Consultation.

ITEMS PROPOSED TO BE HEARD

TRANSPORTATION ITEMS

6A. FY 2010 MAG Mid-Phase Public Input Opportunity

MAG has conducted a public involvement process on transportation plans and programs in February and March for the Mid-Phase public input opportunity. Included in this process were a variety of special events, small group presentations, and e-mail, telephone and Web site correspondence. The process also included a transportation public hearing hosted by MAG in cooperation with the Arizona Department of Transportation, Citizen's Transportation Oversight Committee, Valley Metro, METRO and the City of Phoenix Public Transit Department. Agenda items included the draft project listing for the FY 2011-2015 MAG Transportation Improvement Program; the Draft Regional Transportation Plan - 2010 Update; the MAG Regional Transit Update; and the City of Phoenix Public Transit Department Job Access/Reverse Commute New Freedom Grant Update. A court reporter was in attendance to record public comments verbatim. All comments made at the hearing were provided a formal response from staff. The responses to comments are included in the attached Mid-Phase Public Input Opportunity Report. Please refer to the enclosed material.

6B. Approval of the Draft FY 2011-2015 MAG Transportation Improvement Program - Listing of Projects for an Air Quality Conformity Analysis

The 1990 Federal Clean Air Act Amendments require that regional transportation plans and programs be in conformance with all applicable air quality plans. To comply with this requirement, an air quality conformity analysis of the Draft FY 2011-2015 MAG Transportation Improvement Program - Listing of Projects needs to be conducted prior to consideration of the program for final approval. The draft TIP contains all regionally significant projects within the region, regardless of funding source. All MAG member

6A. Information and discussion.

6B. Approval of the Draft FY 2011-2015 MAG Transportation Improvement Program - Listing of Projects for an air quality conformity analysis.

agencies have been consulted regarding projects incorporated into the draft document, including locally and privately funded projects. The MAG Transportation Review Committee and the MAG Management Committee recommended approval of the Draft FY 2011-2015 MAG Transportation Improvement Program - Listing of Projects for an air quality conformity analysis. This item is on the April 21, 2010, Transportation Policy Committee agenda. An update will be provided on action taken by the Committee. Please refer to the enclosed material.

6C. Approval of the Draft MAG Regional Transportation Plan - 2010 Update for an Air Quality Conformity Analysis

The 1990 Federal Clean Air Act Amendments require that regional transportation plans and programs be in conformance with all applicable air quality plans. To comply with this requirement, an air quality conformity analysis of the Draft MAG Regional Transportation Plan (RTP) - 2010 Update needs to be conducted prior to consideration of the plan for final approval. The Draft RTP - 2010 Update extends through FY 2031 and includes regional plans for freeways/highways, arterial streets, and public transit, as well as information on plans for other transportation programs in the region. A full copy of the Draft RTP - 2010 Update may be downloaded from the MAG Web site at <http://www.mag.maricopa.gov/project.cms?item=411>. The MAG Transportation Review Committee and the MAG Management Committee recommended approval of the Draft MAG Regional Transportation Plan - 2010 Update for an air quality conformity analysis. This item is on the April 21, 2010, Transportation Policy Committee agenda. An update will be provided on action taken by the Committee. Please refer to the enclosed material.

7. Interstate 11 Proposal Update

The MAG Regional Council accepted the findings of the Interstate 10-Hassayampa Valley Roadway Framework Study and the Interstates 8 and

6C. Approval of the Draft MAG Regional Transportation Plan - 2010 Update for an air quality conformity analysis.

7. Information and discussion.

I0-Hidden Valley Transportation Framework Study in February 2008 and September 2009, respectively. These studies included the I 52-mile Hassayampa Freeway as an illustrative (unfunded) project. This freeway is now being discussed as part of a greater Interstate I I corridor designation that reaches to Las Vegas, and potentially destinations farther north into the Pacific Northwest. A presentation will be made to the Council about the status of this proposal and its potential influence on the MAG region. Please refer to the enclosed material.

8. Additional Information on the Transit Framework Study

The MAG Regional Council accepted the Regional Transit Framework Study on March 31, 2010. Members of the Regional Council requested additional information on two items related to the study findings: 1) the financial implications of the recent elimination of the Local Transportation Assistance Fund (LTAF) program; and 2) whether the peer regions evaluated as part of the study process have regional funding sources that expire after a set period of time, as is the case with Proposition 400 in the MAG region. Please refer to the enclosed material.

8. Information and discussion.

AIR QUALITY ITEMS

9. Exceptional Events and Data Collection in the Vicinity of the West 43rd Avenue Monitor

The Environmental Protection Agency (EPA) has been reviewing the Arizona Department of Environmental Quality (ADEQ) exceptional events documentation and has questioned four high wind exceedances that occurred at the West 43rd Avenue monitor in 2008. If EPA does not concur with the exceptional events, these four exceedances would count as a violation at the West 43rd Avenue monitor and the region would not have its first year of clean data at the monitors. MAG staff and Sierra Research, MAG consultant, have been providing additional information to ADEQ to further support the ADEQ exceptional events documentation. MAG

9. Information and discussion.

is also working with the Arizona Department of Environmental Quality and the Maricopa County Air Quality Department to implement a Data Collection Plan to Evaluate and Identify Sources and Unique Geographic and Meteorological Conditions Contributing to Exceedances of the PM-10 Standard at the West 43rd Avenue Monitor. As part of the effort, soil samples will also need to be analyzed to determine the types of soils that have the highest potential to create PM-10 emissions.

In addition, the City of Phoenix received the 404 permit in December 2009 for the Phoenix Rio Salado Oeste Environmental Restoration Project. This project will be a permanent long-term solution for stabilization of the Salt River area where the West 43rd Avenue monitor is located. Rio Salado is an environmental restoration project with the Army Corps of Engineers that includes flood control improvements and recreation features. A five-mile stretch of the Salt riverbed project is already constructed from 24th Street to 19th Avenue. The Rio Salado Oeste Project will connect and continue the restoration of the Salt River area from 19th to 83rd avenues. The project corrects years of ecosystem damage to the riverbed. A presentation will be given on these activities.

GENERAL ITEMS

10. Nominating Committee

Each April, the Chair of the Regional Council appoints a five-member Nominating Committee from the Regional Council. According to the Nominating Process, revised by the Regional Council in April 2002, the Nominating Committee develops a slate of seven candidates. These candidates include a Chair, Vice Chair, Treasurer, the Past Chair, and three members at-large. If the Past Chair is not a current member of the Council, the Nominating Committee nominates an additional at-large member. The past Chair of the Regional Council, if still a current member, serves as Chair of the Nominating Committee. The Nominating

10. Announcement of the appointment of the members of the Nominating Committee by the Chair of the Regional Council.

Committee is required to provide a balanced slate of officers. The slate of nominations is forwarded to all of the Regional Council members at least two weeks prior to the annual meeting in June. A report on the members of the Nominating Committee will be provided at the Regional Council meeting. Please refer to the enclosed material.

11. Development of the Fiscal Year 2011 MAG Unified Planning Work Program and Annual Budget

Each year, the MAG Unified Planning Work Program and Annual Budget is developed incrementally in conjunction with member agency and public input. The Work Program is reviewed each year in April by the federal agencies and approved by the Regional Council in May. The Intermodal Planning Group meeting is scheduled for April 29, 2010 and any recommendations from that review, as well as any other significant budget revisions, will be provided at the May meeting. Please refer to the enclosed material.

12. Legislative Update

An update will be provided on legislative issues of interest.

13. Request for Future Agenda Items

Topics or issues of interest that the Regional Council would like to have considered for discussion at a future meeting will be requested.

14. Comments from the Council

An opportunity will be provided for Regional Council members to present a brief summary of current events. The Regional Council is not allowed to propose, discuss, deliberate or take action at the meeting on any matter in the summary, unless the specific matter is properly noticed for legal action.

15. Adjournment

11. Information and input on the development of the fiscal year (FY) 2011 MAG Unified Planning Work Program and Annual Budget.

12. Information, discussion, and possible action.

13. Information and discussion.

14. Information.